

1  
2  
3  
4 UNITED STATES DISTRICT COURT  
5 WESTERN DISTRICT OF WASHINGTON  
6 AT SEATTLE

7 UNITED STATES OF AMERICA, )

8 Plaintiff, )

9 v. )

10 JACQUES M. SUTTON, )

11 Defendant. )

Case No. CR06-160 JCC

**PROPOSED FINDINGS OF FACT AND  
DETERMINATION AS TO ALLEGED  
VIOLATIONS OF SUPERVISED  
RELEASE**

12 INTRODUCTION

13 I conducted a hearing on alleged violations of supervised release in this case on August 19,  
14 2008. The defendant appeared pursuant to a warrant. The United States was represented by  
15 Andrew Friedman, and defendant was represented by Carol Koller. Also present was U.S.  
16 Probation Officer Thomas J. Fitzgerald. The proceedings were digitally recorded.

17 CONVICTION AND SENTENCE

18 Defendant was sentenced on November 17, 2006 for being a felon in possession of a firearm.  
19 He received 30 months of imprisonment and three years of supervised release.

20 PRESENTLY ALLEGED VIOLATIONS AND  
21 DEFENDANT'S ADMISSION OF THE VIOLATIONS

22 In a petition dated April 25, 2008, Supervising U.S. Probation Officer Thomas J. Fitzgerald  
23 alleged that defendant violated the following conditions of supervised release:

PROPOSED FINDINGS OF FACT AND  
DETERMINATION AS TO VIOLATIONS OF  
SUPERVISED RELEASE -1

1           1. Failing to report to the US probation office within 72 hours of release from custody of  
2 the bureau of prisons on or before April 7, 2008, in violation of the general terms of supervised  
3 release.

4           2. Failing to report to the US probation officer, as directed on April 20 1, 2008, in violation  
5 of standard condition two.

6           3. Failing to notify the US probation officer of change in employment, on or about April 7,  
7 2008, in violation of standard condition six.

8           4. Failing to notify the US probation officer of change in residence on or about April 22,  
9 2008, in violation of standard condition six.

10          Defendant admitted the above violations, waived any hearing as to whether they occurred,  
11 and was informed that the matter would be set for a disposition hearing before District Judge  
12 John C. Coughenour.

13                               RECOMMENDED FINDINGS AND CONCLUSIONS

14          Based upon the foregoing, I recommend the Court find that defendant has violated the  
15 conditions of his supervised release as alleged above, and conduct a disposition hearing. No  
16 request for release was made and defendant remains in custody pending disposition.

17          DATED this 19<sup>th</sup> day of August, 2008.

18   s/ Brian A. Tsuchida  
19   United States Magistrate Judge  
20  
21  
22  
23